



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/991,152	01/16/2001	Stephanie Aquin	MBX 041

23579  
PATREA L. PABST  
HOLLAND & KNIGHT LLP  
SUITE 2000, ONE ATLANTIC CENTER  
1201 WEST PEACHTREE STREET, N.E.  
ATLANTA, GA 30309-3400

COPY OF PAPERS  
ORIGINALLY FILED

CONFIRMATION NO. 3848

FORMALITIES LETTER



\*OC000000007320683\*

Date Mailed: 01/17/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/02/2002 MBERNE 00000063 09991152

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MAR 29 2002

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/991,152	01/16/2000	1645	738	MBX 041	6	29	5

CONFIRMATION NO. 3848

23579  
PATREA L. PABST  
HOLLAND & KNIGHT LLP  
SUITE 2000, ONE ATLANTIC CENTER  
1201 WEST PEACHTREE STREET, N.E.  
ATLANTA, GA 30309-3400

FILING RECEIPT



\*OC00000007320882\*

Date Mailed: 01/17/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Stephanie Aquin, Cambridge, MA;  
Oliver P. Peoples, Arlington, MA;  
Kristi D. Snell, Belmont, MA;

RECEIVED

JAN 22 2002

PATENT DEPT.

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/249,535 11/17/2000

Foreign Applications

If Required, Foreign Filing License Granted 01/16/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

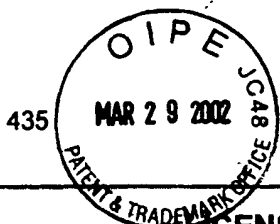
\*\* SMALL ENTITY \*\*

Title

polyhydoxyalkanoates  
Production of medium chain length polyhydroxyalkanoates from fatty acid biosynthetic pathways

Preliminary Class

Doctored for  
By: [Signature]  
11 1 1 2002

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

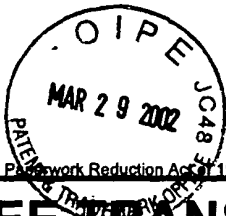
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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PTO/SB/17 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 65.00

## Complete If Known

Application Number	09/991,152
Filing Date	November 16, 2001
First Named Inventor	Stephanie Aquin
Examiner Name	
Group Art Unit	1645
Attorney Docket No.	MBX 041

## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 50-1868  
Deposit Account Name: Holland & Knight LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ )

### 2. EXTRA CLAIM FEES

Total Claims: 20 =  x  =   
Independent Claims: 3 =  x  =   
Multiple Dependent:  =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ )

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	\$ 65.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

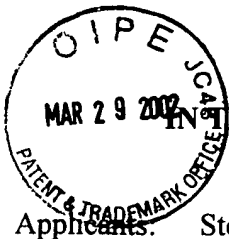
SUBTOTAL (3) (\$ 65.00

## SUBMITTED BY

Name (Print/Type)	Patrea L. Pabs	Registration No. (Attorney/Agent)	31,284	Telephone	404-817-8473
Signature		Date	3/18/2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



COPY OF PAPERS  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Stephanie Aquin, Oliver P. Peoples, and Kristi D. Snell

Serial No.: 09/991,152

Group Art Unit: 1645

Filed: November 16, 2001

Examiner: Not yet assigned

For: PRODUCTION OF MEDIUM CHAIN LENGTH  
POLYHYDROXYALKANOATES FROM FATTY ACID  
BIOSYNTHETIC PATHWAYS

**BOX MISSING PARTS**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION AND  
REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application, mailed January 17, 2002, applicants enclose the following for filing in the above-identified application:

1. Declaration for Patent Application executed by Stephanie Aquin;
2. Declaration for Patent Application executed by Oliver P. Peoples and Kristi D. Snell;
3. Power of Attorney or Authorization of Agent executed by Metabolix, Inc.;
4. Statement Under 37 C.F.R. § 3.73(b) executed by Metabolix, Inc., with attached copy of the executed Assignment from Stephanie Aquin, Oliver P. Peoples, and Kristi D. Snell to Metabolix, Inc.;
5. Fee Transmittal (in duplicate); and

MBX 041  
077832/00040

6. Check in the amount of \$65.00 for the small entity surcharge for late filing the Declaration for Patent Application.

This application is entitled to claim small entity status pursuant to 37 C.F.R. § 1.27.

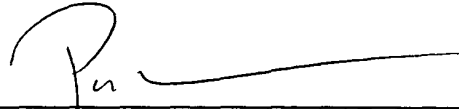
Applicants also enclose a copy of the Notice to File Missing Parts of Nonprovisional Application, mailed January 17, 2002.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment in connection with this matter, to Deposit Account No. 50-1868. A duplicate of this transmittal is enclosed to facilitate this process.

**Request for Corrected Official Filing Receipt**

Applicants respectfully request a corrected official Filing Receipt to correct the title of the application. The correct title is "*Production of Medium Chain Length Polyhydroxyalkanoates from Fatty Acid Biosynthetic Pathways*". Applicants have enclosed a copy of the official Filing Receipt with the change noted in red, and a corrected copy of the Application Data Sheet showing the correct title.

Respectfully submitted,



Patrea L. Pabst  
Reg. No. 31,284

Date: March 18, 2002  
HOLLAND & KNIGHT LLP  
Suite 2000, One Atlantic Center  
1201 West Peachtree Street, N.E.  
Atlanta, Georgia 30309-3400  
(404) 817-8473 (Telephone)  
(404) 817-8588 (Fax)

U.S.S.N: 09/991,152  
Filed: November 16, 2001  
Response to Notice to File Missing Parts  
of Nonprovisional Application and  
Request for Corrected Official Filing Receipt



**COPY OF PAPERS  
ORIGINALLY FILED**

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION AND REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT, and any paper referred to as being attached or enclosed, are being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to BOX MISSING PARTS, Commissioner of Patents and Trademarks, Washington, D.C. 20231.

  
Pam Turnbough

Date: March 18, 2001

ATL1 #514063 v1

MBX 041  
077832/00040